

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

GORDON ERNST, et al.,

Defendants

Case No. 1:19-cr-10081-IT-MPK

STATUS REPORT ON REQUESTED TRIAL DATE

Per the Court's instruction, the Defendants and the U.S. Attorney's Office jointly submit this status report on a preferred trial date for this case. Although the parties have been unable to agree on a specific date or month for trial, all parties agree that a date in November or December of 2021 is preferable given their respective trial commitments and the fact that Covid-19 vaccines are expected to have been available and administered to everyone who wants one by the third quarter of 2021.

The parties' positions are more specifically stated as follows:

1. The Government agrees to a trial date in November or December of 2021.
2. Defendant Ernst agrees to a trial date in November or December of 2021.

3. Defendant Heinel requests a trial date in December, and opposes a date in November, based on counsel's firm commitment to begin a two defendant, 4-5 week complex federal health care fraud trial on September 14, 2021: United States v. Carrico, et al., 18-CR-120-JLS and 18-CR-121-JLS.
4. Defendant Ferguson requests a December trial date.
5. Defendant Vavic requests a trial date in November and opposes a date in December, based on his counsel's need to conclude this trial in time to prepare for and travel to a February 22, 2022 trial in second jurisdiction outside of their Los Angeles base: United States v. Desai, 19-CR-864 (N.D. Ill), a complex fraud case pending in Chicago, which is projected to last 3-4 months.

Dated: December 4, 2020

Respectfully submitted,

/s/ Tracy A. Miner

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served by ECF on counsel for all parties on December 4, 2020.

/s/ Tracy A. Miner

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